

14230

100203

03945 U.S.PTO  
10/678418

100203

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DOCKET NUMBER	ANTICIPATED CLASSIFICATION OF THIS APPLICATION:		PRIOR APPLICATION	
	CLASS	SUBCLASS	EXAMINER	ART UNIT
10873.0435USD2			Nabil Z. Hindi	

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV321727110US  
 Date of Deposit: October 2, 2003

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: Teresa Anderson  
 Name: Teresa Anderson

DIVISIONAL APPLICATION UNDER 37 C.F.R. § 1.53(b)

Mail Stop PATENT APPLICATION  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

This is a request for filing a divisional application under 37 CFR § 1.53(b) of Serial No. 10/183,136, filed on June 25, 2002, which is a divisional of Serial No. 09/389,121, filed September 2, 1999, entitled ABERRATION DETECTION DEVICE AND OPTICAL INFORMATION RECORDING AND REPRODUCING APPARATUS:

1.  Enclosed is a copy of the prior application; including the specification, claims, drawings, a signed oath or declaration, and any amendments referred to in the oath or declaration filed to complete the prior application. (It is noted that no amendments referred to in the oath or declaration filed to complete the prior application introduced new matter therein.) The continuing application is as follows: 28 pages of specification, 14 claims, 1 page of abstract, 21 sheets of drawings, and 4 pages of oath or declaration.
- The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
2.  Cancel original claims 2-14 of this application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

3.  The filing fee is calculated below:

CLAIMS AS FILED

NUMBER FILED	NUMBER EXTRA		RATE	FEE
<b>TOTAL CLAIMS:</b> 22	-20	2	x <b>\$18.00</b>	<b>36.00</b>
<b>INDEPENDENT CLAIMS</b> 5	-3	2	x <b>\$86.00</b>	<b>172.00</b>
			<b>BASIC FILING FEE:</b>	<b>\$770.00</b>
			<b>TOTAL FILING FEE:</b>	<b>978.00</b>

3.  Small entity status is claimed pursuant to 37 CFR 1.27.
4.  Payment of fees:  
 Attached is a check in the amount of 978.00  
 Please charge Deposit Account No. 13-2725.
5.  The Commissioner is hereby authorized to charge any additional fees as set forth in 37 CFR §§ 1.16 to 1.18 which may be required by this paper or credit any overpayment to Account No. 13-2725.
6.  Amend the specification by inserting before the first line the sentence:  
 "This application is a divisional of application Serial No. 10/183,136, filed June 25, 2002, which is a divisional of 09/389,121, filed September 2, 1999, which application(s) are incorporated herein by reference."
7.  A set of formal drawings (21 sheets) is enclosed.
8.  Priority of application Serial No. 10-250750, filed on 4 September 1998 in JAPAN, and application Serial No. 10-264625, filed on 18 September 1998 in JAPAN is claimed under 35 U.S.C. 119.  
 The certified copy has been filed in prior application Serial No. 09/389,121, filed 2 September 1999.
9.  The prior application is assigned of record to Matsushita Electric Industrial Co., Ltd. located at 1006, Oaza Kadoma, Kadoma-shi, Osaka 571-8501 JAPAN.
10.  The Power of Attorney in the prior application is to:

Merchant & Gould P.C.  
Minneapolis, MN 55402-2215

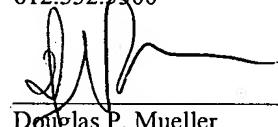
11.  A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)  
 Fee for excess claims is attached.

12.  A petition and fee has been filed to extend the term in the prior application until . A copy of the petition for extension of time in the prior application is attached.
13.  The inventor(s) in this application are less than those named in the prior application and it is requested that the following inventors identified above for the prior application be deleted:
14.  A Nonpublication Request under 37 CFR 1.213(a) is enclosed.
15.  Also Enclosed: Application Data Sheet (3 pgs), Information Disclosure Statement; Form 1449
16.  Address all future communications to the **Attention of Douglas P. Mueller** (may only be completed by attorney or agent of record) at the address below.
17.  A return postcard is enclosed.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
612.332.5300



  
\_\_\_\_\_  
Douglas P. Mueller  
Reg. No. 30,300  
D. Mueller:smm

Date: October 2, 2003